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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

VERBATIM RECORD OF THE 376th MEETING

Held at Headquarters, New York,
on Wednesday, 24 June 1992, at 10.30 a.m.

Chairman:

Mr. HOHENFELLNER

(Austria)

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(The Chairman)

to bear in mind honestly all concerns, so far as he could, that the text is certainly the maximum.

On the other hand, the text is also the minimum, in so far as I tried to create a minimum common denominator at the present stage. I made it perfectly clear to all representatives yesterday that the NPS issue was an ongoing exercise. It is strongly influenced by developing technology. New technologies may require new safety guidelines and may result in new developments in energy sources. Therefore, I stressed, and I again stress, the dynamic character of the NPS issue. This was also done by many delegations, including the delegation of France, which made the point very clearly.

However, I should like to make it equally clear that if the Committee is a "wait-and-see" body, which simply observes developing technologies without taking stock at a certain point, it will decisively weaken its own capacities as a reflection of the concern of the international community to deal with great dangers to us all. The matter is not only of concern to the industrialized countries. It very much concerns the developing countries, the so-called third world, as was clearly expressed by many delegations - Mexico, Egypt, Chile, Ecuador and others.

(The Chairman)

Having said that, I should also like to draw attention to the seriousness of the present moment. Having dealt with outer-space affairs for over 8 years, I am not dramatizing or exaggerating when I say this. At this juncture I shall confine myself to making the most urgent appeal to all delegations here to look upon this effort as a very serious undertaking, one that, as I said yesterday, causes pain, but one that, in my view, also creates a solid and feasible basis for consensus. As our Brazilian colleague stated yesterday morning, and as the Rapporteur reiterated in his clear statement in the afternoon, we all know what consensus means: It means equally shared frustration and equally shared dissatisfaction, but it is also an expression of a participating delegation's sense of responsibility.

The Chairman cannot replace the members of the Committee; the Chairman can only try to contribute to the negotiating process. He cannot impose his will. I want to be perfectly clear: this is a contribution on my part. It is my best - and at the same time most difficult - contribution, for, without exaggeration, I can tell you that arriving at this text has cost me some sleepless nights, since I wanted to make my task as difficult, and not as easy, as possible. Now, however, we have reached a point at which I think the Committee has to act. Some delegations may have very legitimate concerns, and I am the first to understand them, for I never went so deeply into this issue as I did during the past two weeks.

On the other hand, however, at this important moment I urge all delegations to show a sense of responsibility - which means studying the text very carefully and then seeking to receive instructions on it. There will be time. I am not going to take the issue up now. Delegations will have an opportunity to study the text, and I will take the issue up when we begin our

(The Chairman)

consideration of the report on the work of the Legal Subcommittee. That may be sometime tomorrow, but that will depend on the speed of our work with regard to the adoption of our draft report. I shall, however, take up the part of the draft report dealing with the work of the Legal Subcommittee, which relates to the matter at hand, at the very latest stage so that delegations will have sufficient opportunity to receive instructions, if necessary.

From the procedural point of view, therefore, my proposal is a simple one: In the case where delegations are prepared to join a consensus, the Committee would recommend this set of draft principles for adoption at the next session of the General Assembly. That means that at the next session, when discussions begin in the Special Political Committee, which is the main United Nations body to deal with outer-space affairs, my country's delegation will introduce a draft resolution that should be adopted by consensus. Of course I am not speaking now on behalf of the Austrian delegation, because it is already represented here. I am, rather, attempting to clarify the procedural question - which is not very complicated - by saying that my delegation would only submit such a draft resolution if consensus were possible.

On the other hand, it is equally important to understand that if delegations do not agree on the present proposal there will be no recommendation to the General Assembly. In other words, the Chairman's text will simply be attached to the report, as has been done many times since the United Nations inception in 1945, and nothing more. It would equally mean, however, that the Legal Subcommittee would then have to take up the matter again and reopen it completely, and I fear - and this is not a threat, but only a prognostic, a very pessimistic prognostic - that at such a moment, as

(The Chairman)

many delegations - Mexico, Chile, Egypt, the Asian countries and many others - have stated, all those countries that may be prepared now to sacrifice their own very important and legitimate concerns would also reopen the question. I could not deny those delegations that right, for they have that right to do so.

So I should like to ask a rhetorical question: What is the Legal Subcommittee going to do then? Is it possible that it might discuss the matter for the next 15 years? I do not want to sound too pessimistic, but delegations must be aware - and the point was made here yesterday - that there is no partial agreement possible. We cannot agree now on parts of the set of draft principles and leave it to the Legal Subcommittee to reopen other parts. Only a package solution, one that is painful but one that is sensible and down to earth, like a photograph of the status praesens, can help us at this time.

However, the set of draft principles contains a dynamic element, namely, the revision clause. That means that we have the opportunity to reconvene when necessary in the appropriate body - in this case the Legal Subcommittee - for a careful review of problems in the light of new technological developments, new requirements with regard to safety standards, new energy sources and other matters. I must therefore say that I do not share the concerns of those delegations - and I am not singling any one out - to the effect that at this stage the draft principles cannot adjust to technological developments. I think, as I said yesterday in informal consultations, that it would be absurd to continue to deliberate the question of new technological developments in negotiating the draft principles, taking into account all the concerns of many delegations, at a time we could be undertaking the first review.

(The Chairman)

This is a very important point, and I would urge all delegations to be aware of it. There is a very important and dynamic element in the text that, in my opinion, allows all delegations to reserve positions with regard to the future without falling back on a "wait-and-see" position. In my opinion, the Committee is too important to fall back on such a position.

(The Chairman)

If we fail in this exercise, we shall have failed to show the sense of responsibility expected of all of us. I think it is premature to ask members to react now on this text; everyone should have the opportunity to study the text carefully.

I shall now conclude my introductory remarks on this matter. I think I have clarified all points with respect to the text. Members can study it carefully. The new numbering is already in place: Principle 2 corresponds to the original Principle 1A; the original Principle 12 is now Principle 11 because we brought it into the appropriate numerical order. There should be no misunderstanding, if the text is compared with the original numerical order which has been developed over the years.

ORGANIZATION OF WORK

The CHAIRMAN: We shall now proceed to the consideration of agenda item 10, after which we shall begin consideration of agenda item 11. It is my intention this afternoon to conclude consideration of agenda item 11 and to begin consideration of agenda item 12.

SPIN-OFF BENEFITS OF SPACE TECHNOLOGY: REVIEW OF CURRENT STATUS

Mr. SAHADE (Argentina) (interpretation from Spanish): The Argentine delegation would like to make a few comments on agenda item 10, "Spin-off benefits of space technology: review of current status". It is clear that space activities began and grew thanks to the scientific and technological training of those people involved in the early stage and later development of these activities and thanks to the economic resources made available for that purpose.

Space activities are natural to intelligent man, but they require very large investments. Hence, those countries or groups of countries that are more important from the economic standpoint are the ones that have gone the

(Mr. Sahade, Argentina)

farthest in this eternal quest for answers to questions about our universe and about the possibilities offered by an area such as outer space for research on materials, biology and so many other fields; and the commercial aspects of such activities are already commonplace. That is why the gap between industrialized and non-industrialized countries has become increasingly wide. Some benefits, of course, do reach the countries that are lagging in technological development. But these countries want to go beyond their status as mere consumers of space products and services; they want, in some way, to be protagonists in this space era in which we are living.

The Argentine delegation believes that this would be possible by encouraging cooperation and complementarity among countries at different levels so that qualified personnel from less technologically developed countries could participate in a given project from the beginning and so that the implementation of part of a project could be carried out outside the conventional framework, making use of existing comparative advantages. The United Nations could analyse these or other possibilities and find a way of translating them into practice.

Since any cooperative project of complementarity or participation presupposes some level of transfer of technology, the beginning may perhaps be modest, but little by little we would get used to working together and set aside any reluctance; and this would certainly be very useful to both sides since different surroundings create different approaches to problem solving. This is an idealistic view, but the space era requires a change of mentality and, in fact, the world is changing, although not at the same pace in all fields.

(Mr. Sahade, Argentina)

These ideas and others have been included in the working paper submitted by a number of delegations, including my own, in document A/AC.105/C.2/L.182 in the framework of the so-called new agenda item which we have started to consider substantively at the last session of the Legal Subcommittee.

I should like to conclude by suggesting that the Committee on the Peaceful Uses of Outer Space consider a way of implementing the ideas we have put forward, inter alia, through instruments established in the United Nations, such as the Office for Outer Space Affairs and the Programme on Space Applications, which are doing so much in this regard. Of course, the Argentine delegation is ready to participate and to contribute in the analysis of this issue in the Committee.

Mr. HODGKINS (United States of America): As members are aware, there are significant secondary benefits which have resulted from the exploration of outer space. In the United States, as well as in other countries, these secondary applications and uses have a discernible economic impact - nationally as well as internationally - through the development of new and improved commercial products and processes.

Multiple copies of the most recent issue of Spin-Offs of the National Aeronautics and Space Administration of the United States (NASA) are available in the back of the Conference Room for the information of members of the Committee.

I would now like to mention briefly a few of the more than 50 examples contained in our Spin-Offs publication. The following are especially pertinent primarily because they address three concerns of truly global interest.

(Mr. Hodgkins, United States)

In the area of food safety, research aimed at providing uncontaminated food to astronauts on manned space missions has yielded a unique quality control process which guarantees an uncontaminated final food product. The Hazard Analysis Critical Control Point (HACCP) concept, developed by the Pillsbury Company, is designed to prevent food safety problems rather than to catch them after they have occurred. With this system, food producers can control any area in the food system that could contribute to hazards, whether it involves contaminants, bacteria, physical objects, chemicals, raw materials or storage conditions.

Again, in the area of food and health, NASA silver-ion technology developed to purify water aboard the space shuttle orbiters was used as a departure point to create a home water softener system. This system, developed by General Ionics, softens treated water but also inhibits the growth of bacteria within the filtering unit.

As a final example, the Phoenix Refrigeration Systems, Inc. successfully adapted NASA technology used to control the temperature of sensitive space electronic systems to refrigeration and air-conditioning systems. The heat pipes used in the Phoenix systems are of great interest because of their efficiency and significant energy savings.

We believe that this sampling of United States space spin-offs clearly demonstrates the kind of benefits space activity can bring home to us on Earth.

Mrs. ARISTANBEKOVA (Kazakhstan) (interpretation from Russian): The questions under discussion at the current session of the Committee on the Peaceful Uses of Outer Space are of great significance, not only from a scientific, technical or legal point of view, for, in my opinion, it is precisely its work that highlights the role of the United Nations as the world's machinery for combining the efforts of Member States in their interaction in such a universal category as outer space.

The Republic of Kazakhstan is actively involved in work on research and study of outer space for peaceful purposes. To implement State policy in the area of research and use of outer space, in September 1991 the Space Research Agency of the Republic of Kazakhstan was set up, and the Institute for Space Research within the system of the Academy of Sciences of Kazakhstan was opened. It is well known that the Baikonur space-vehicle-launching site is located on the ancient land of Kazakhstan, and that for more than 30 years space vehicles have been launched from this site, including some with international crews on board.

I should like to note that, on the initiative of the President of the Republic of Kazakhstan, Nursultan Nazarbayev, and with his participation, on 12 April last year a formal ceremony was held at Baikonur marking the thirtieth anniversary of the flight of Earth's first astronaut, Yuri Gagarin. In its space activities, the Republic of Kazakhstan is guided by the provisions of the agreement between the members of the Commonwealth of Independent States (CIS) concerning joint activity on research and use of outer space, signed on 30 December 1991 in Minsk, and by the other agreements adopted by members of the CIS cooperation in outer space.

(Mrs. Aristanbekova,
Kazakhstan)

On 25 May of this year, the Presidents of Kazakhstan and Russia signed the agreement on the systematization of the use of the Baikonur space-vehicle-launching site, which has already been mentioned here by the Head of the Russian delegation, Mr. Mayorski. The agreement notes, inter alia, that coordination of scientific and production activities on the preparation and implementation of space programmes, and also on the use of space technology for the interests of science and the economy, are to be carried out by the Space Research Agency of the Republic of Kazakhstan and the Russian Space Agency. The use and further development of the Baikonur launching site's scientific/technical potential will be implemented by agencies on an agreed-upon basis, taking into account the establishment at the launching site of the State Centre for New and Space Technologies of the Republic of Kazakhstan. Commercial projects at the launching site will be carried out jointly by the Republic of Kazakhstan and the Russian Federation on an agreed-upon basis.

Kazakhstan aspires to broad international cooperation in research on and use of outer space for peaceful purposes to secure economic and technical benefits for all States. As was stated at a press conference at the United Nations in May by the President of the Republic of Kazakhstan, these questions were discussed in the course of his recent visit to the United States of America.

I am also gratified to note that on 2 October 1991, during the launch of the joint Kazakh/Soviet/Austrian space crew at Baikonur, the Prime Minister of Kazakhstan and the Vice-Chancellor of Austria signed an agreement on cooperation, in which the parties expressed their intention to cooperate in the area of space research as well. It is appropriate to note here that

(Mrs. Aristanbekova,
Kazakhstan)

during this flight the first Kazakh cosmonaut carried out broad research studies, in keeping with the programme drawn up by the Academy of Scientists of the Republic for Kazakhstan's economy, in the area of space monitoring of the environment.

In drawing up and implementing State policy on space research, we intend to make active use of the international experience acquired in this Committee. We are counting on closer and more fruitful cooperation, both on a bilateral basis and through the United Nations, in resolving political, legal, scientific and technical issues relating to the exploration of space.

Because of its unique geopolitical situation, its economic and scientific/technical potential and its policies in favour of an open-market economy and rapid development, our country has great opportunities to implement its planned in-depth changes, making active use of international experience in scientific/technical cooperation, inter alia, in the areas of space communications, exploration of land resources, and others.

For the first time, the Republic of Kazakhstan is participating as an Observer in this session of the Committee. This is highly symbolic, since this is International Space Year. I should like to express our confidence that our country's participation in the work of such an authoritative body as this United Nations Committee will serve as a good beginning for Kazakhstan's participation in international cooperation in research on and the peaceful use of outer space.

Ms. LOSTY (United Kingdom): It seems appropriate under this item to mention the British Prime Minister's proposal for improved international cooperation in the use of satellite remote sensing for environmental purposes. The initiative was launched at a meeting in London in April of this

(Ms. Losty, United Kingdom)

year. The aim of the initiative is an evolving programme of improved and extended coordination, as well as planning, of Earth observation satellite missions. In particular, the emphasis is on closer involvement of the data users in specifying their requirements and establishing the data systems they need to work towards a truly global space-observing system for the environment.

A first step has been to prepare a unified schedule of Earth-observing satellite missions, both planned and proposed, through the next decade. With regular review and revision, this schedule will become a basic information document for coordinating missions and for informing users of the data resources being established.

The intention of the initiative is not necessarily to expand the intended space programmes, but to improve the value obtained from the considerable sums being invested - in other words, to ensure that users play their part in identifying the measurements needed. Then, when users have identified their requirements, they should have access to the data collected, and obtain what they need in a format that is readily usable.

(Ms. Losty, United Kingdom)

The London Conference at the end of April brought together representatives of both the providers of satellite data and the users of such data. The Conference included a plenary meeting of the Committee on Earth Observation Satellites (CEOS) - the data providers - which had prepared a full dossier of planned Earth-observation satellite missions for discussion. A meeting also took place of environment officials - the data users - from countries active in Earth observation for environmental purposes. These included a number of European States, as well as representatives from the United States, Canada, Japan, China, India, Brazil and the Russian Federation. They were joined by representatives from the principal international environmental programmes which use satellite data, and their sponsoring international bodies, including the United Nations Earthwatch programme, the World Meteorological Organization, the International Council of Scientific Unions, and the Intergovernmental Oceanographic Commission.

Both groups of delegates, the CEOS group and the environment officials, came together to agree the conclusions of the meeting and elements of the initiative. Copies of the agreed paper are available to delegates in the Chamber today, alongside copies of this statement.

The next stage in the initiative was to bring it to the attention of the United Nations Conference on Environment and Development (UNCED). Copies of the conclusions of the London meeting, along with the Earth Observation Satellite Schedule - a summary of planned satellite Earth observation missions - were distributed to all delegates at UNCED. I am pleased to report that the initiative was mentioned in the final Agenda 21 document of UNCED, in the chapter on science for sustainable development.

(Ms. Losty, United Kingdom)

The London meeting also gave particular support and added momentum to developing mechanisms for organizing and expressing the voice of data users on a global basis. Such mechanisms will enable users to define their needs and tackle such issues as access, data networking, information, and education. To this end, an important next step in the initiative is for the users of satellite data to develop and articulate their requirements for presentation at the next plenary meeting of CEOS in December. The role of the United Nations organizations is seen as particularly important in developing the voice of the users of satellite data and in acting as a channel for the needs of developing countries.

In enhancing the role of the users of Earth observation data, the initiative will fully support the United Nations Earthwatch Programme coordinated by the United Nations Environment Programme, which systematically brings together information on the state of the world's environment. Furthermore, my delegation believes that International Space Year provides a propitious and appropriate opportunity to work together to help ensure that, through cooperation and coordination, the world's environmental monitoring capabilities and skills are used to the maximum benefit of the environment and in the interests of all countries.

It is the United Kingdom's hope that this initiative will help us all to make the best possible use of Earth observation by satellites for environmental purposes and steadily to increase the practical involvement of environmental interests in all countries. In view of the high-level interest and support shown in the initiative by both Governments and space agencies, the prospects of success are good.

Mr. GONZALEZ (Chile) (interpretation from Spanish): In the light of the interesting statements that we have heard this morning, my delegation would like to make a few comments that we consider of importance.

I would like to point out first of all that my country, because of specific circumstances surrounding international cooperation in space matters today, attaches particular importance to the agenda item on spin-off benefits of space technology, and we are pleased to see it among the other relevant issues under consideration by the Committee on the Peaceful Uses of Outer Space. As I have said, we listened very attentively to the statements made by the representatives of Argentina, Kazakhstan, the United States, and the United Kingdom, who have drawn us a picture that we consider interesting and valuable. In this connection, we have some doubts and some ideas.

First, we have not yet had enough time to study the interesting paper provided by the delegation of the United States, a paper that certainly contains data and elements that may be of benefit to our countries. Furthermore, there were certain proposals, plans and ideas in the statement made by the representative of the United Kingdom in which we are very much interested. That we heard a comprehensive statement from the representative of Argentina is nothing new to us.

I wish to comment briefly on this question, not on the technical aspects the representative of Argentina so masterfully described, but on something we consider to be crucial: the link between the item on spin-off benefits of space technology and this same question within the framework of the Legal Subcommittee. Obviously, we can obtain very important information on aspects of space technology which, to be sure, are extraordinarily sophisticated but which are beyond the capacity or real prospect of the vast majority of developing countries to utilize.

(Mr. Gonzalez, Chile)

It is therefore clear that this aspect of this agenda item on spin-off benefits of space technology will be hampered by a partial analysis or a distorted vision if it is not correlated to the legal aspect. We have said on many occasions that a legal framework is the only real defence of the developing countries, which have no prospect of gaining access to such extraordinarily sophisticated technology. You put this very well, Mr. Chairman, as it relates to the use of nuclear power sources (NPS), where there is a very dynamic evolution, but that does not erode the need for a set of principles on NPS to be adopted now.

(Mr. Gonzalez, Chile)

It is clear that we must have legal frameworks which are both clear and predictable and which place special emphasis on the fact that all countries must have equal opportunity - and that is not just because we are saying so but because the Charter itself says so. In this context, the correlation between the technical and the legal, to which the representative of Argentina referred, is, in our view, clearly understood in the statements of the representatives of the United States, the United Kingdom and Kazakhstan, and it is important that that correlation should exist.

In this context, there is no doubt that the deliberations at the last session of the Legal Subcommittee, which were based on document A/AC.105/C.2/L.182 - which has not been criticized by any delegation - remain of particular importance and relevance in establishing that link.

Mr. HIDAYAT (Indonesia): We have listened carefully to the statements made by the representative of Argentina and, just now, by the representative of Chile, to the effect that the space age requires a change of attitude at the level of the thinking of the people as well as at the Government level. Space activities are long-term endeavours which require substantial funds, and it is for that reason that not every country can immediately afford to undertake or embark on space activities.

Nevertheless, my delegation is happy to report that Indonesia has decided to participate fully in space activities in order to meet the challenge of the next century. The Government believes that space can offer us many fruitful results and, moreover, that space activities, which require high technology characterized by high-precision work, will provide impetus for progress in international cooperation.

(Mr. Hidayat, Indonesia)

The spin-offs from space activities are one aspect from which we can benefit, and which will, it is to be hoped, change the attitude of the people. My delegation is pleased to report that the Government of Indonesia has taken a certain number of steps towards introducing space science to its younger generation so that they can comprehend the position and the environment of the Earth as well as the spirit of international brotherhood.

The CHAIRMAN: We have thus concluded our consideration of agenda item 10.

ORGANIZATION OF WORK

The CHAIRMAN: It was my intention to take up agenda item 11, "Other matters". But, as no delegation wishes to speak on this item - which I deplore, because I should like to make as much use of available conference facilities, which are, as members are well aware, expensive - I am very reluctantly obliged to adjourn the meeting now. The Committee will reconvene this afternoon, to conclude agenda item 11, and immediately thereafter to begin deliberations on the Committee's report to the General Assembly.

The meeting rose at 11.45 a.m.